

REMARKS

The interview with examiners Noah Hawk and David Dunn on 13 June 2007 is acknowledged with appreciation. The examiner's interview summary is accurate as to what transpired at the interview.

Claims 21-24 stand rejected under 35 U.S.C. 112 and claim 21 is amended by deleting "first portion of the" which is asserted as lacking antecedent. Accordingly, claims 21-24 are now in compliance with 35 U.S.C. 112.

The specification has been amended to describe the slot depth.

Claims 2-8, 10-19, 21-24, 26, 28, 33-36, 38 and 41 - 43 were indicated as having allowable subject matter and claims 2, 10, 26, 28, 33, 35, 36, 38, 41 and 42 have been placed in independent form.

Claims 1, 9, 20 and 25 are rejected as anticipated by Kain (U.S. Publication No. 2002/0043837). Claim 1 has been amended to clarify that the slot is a vertical slot provided to open in a generally flat area in the back support portion of the seat shell and formed to receive the locking pin therethrough, the vertical slot defining vertically-spaced position indicators extending in the width direction of the slot.... The generally flat area in the back support portion is described at, for example, page 5, lines 15-17 and Fig. 6 of the disclosure. As discussed at the interview the '837 Kain publication's slots are not provided to open in a generally flat area in the back support portion and do not define vertically-spaced position indicators extending in the width direction of the slot. The position indicators 116 in Kain do not extend in the width direction of the slot as recited in applicants' claim 1. For at least these reasons, claim 1 and dependent claims 9, 20 and 25 avoid rejection over the '837 Kain publication.

Claims 27 and 29-32 stand rejected as anticipated by Kain (U.S. Patent No. 6,464,294). Claim 27 is amended to clarify a position indicator in the form of a hole provided within the back support portion of the seat shell and formed to receive the locking pin so that the locking pin extends through the hole and outwardly from a back region of the hole. In the '294 Kain patent there are no position indicators in the form of a hole and the locking pins 28 do not extend through the hole and outwardly from a back region of the hole as recited in claim 27. For at least these reasons, claim 27 and dependent claims 29-32 avoid rejection over the '294 Kain patent.

Claims 37, 39 and 40 stand rejected as anticipated by Kuo [sic, Kain] (U.S. Publication No. 2002/0043837). Claim 37 requires means for locking the headrest to prevent up and down movement relative to the seat shell. This “means for” limitation is in the format authorized by 35 U.S.C. 112, sixth paragraph. Accordingly, claim 37 includes the disclosed slot and pin which locks the headrest as recited in claim 37. The ‘837 Kain publication does not disclose a slot and pin that is the same structure as applicants’ and Kain’s locking mechanism does not disclose an equivalent structure. In Kain the locking occurs via a rod 76 extending parallel to the seat back, not perpendicular to the seat back as in the present disclosure and the rod 76 does not have enlarged and reduced cross section for enabling sliding along the slot length, etc. For at least these reasons, claim 37 and dependent claims 39 and 40 avoid rejection over the ‘837 Kain publication.

For all of the above reasons, it is urged that claims 1-43 are allowable and allowance of these claims is, respectfully, requested.

The examiner is invited to telephone the undersigned if there are any matters that require further action.

It is requested that the fees for the additional independent claims be charged to the following deposit account and, if necessary to effect a timely response, this paper be considered as a Petition for an Extension of Time sufficient to effect a timely response with the fee for such extensions and shortages in other fees, being charged, or any overpayment in fees being credited, to the Account of Barnes & Thornburg, Deposit Account No. 10-0435 (20341-73744).

Respectfully submitted,
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